

MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – JANUARY 9, 2008 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER (27 E. FRONTAGE ROAD)
(Please Silence All Electronic Devices)

1. CALL TO ORDER.

Mayor Calkins called the Meeting to order at 6:30 P.M. All Councilors were present.

Also present were Mr. Marcus Rael, Town Attorney, Mr. Jeff Condrey, Administrator Clerk-Treasurer, Ms. Karen Mahalick, Community Planning & Development Manager, and Ms. Estefanie Muller, Deputy Clerk.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF AGENDA.

MOTION: Councilor Felton made a motion to approve the Agenda with discussion. Councilor Simmons seconded the motion.

Councilor Felton stated he was approached on the Town's legal posting requirements and at some of the locations there is over-lapping and asked if there is posting at the Town Hall. Ms. Mahalick stated yes, all the requirements are met and then some, the Town is in compliance.

VOTE: Councilor Ring voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

4. APPROVAL OF PREVIOUS MINUTES.

A. Regular Council Meeting Minutes of December 19, 2007.

MOTION: Councilor Simmons made a motion to approve the Minutes as presented. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Ring voted aye. The motion carried.

5. CONSENT AGENDA.

B. Acknowledgement of the Planning & Zoning Commission Meeting Minutes of December 17, 2007.

MOTION: Councilor Ring made a motion to approve the Consent Agenda. Councilor Simmons seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. The motion carried.

6. PUBLIC HEARINGS. (Limit to 3 minutes per person)

Legislative Procedure: Note: This item is a continuation from the Council Meeting of December 19, 2007.

C. Land Use Assumptions Relating to Possible Adoption of Impact Fees.

Ms. Mahalick stated Councilor Hill requested information from the consultants on the growth projection in the land use assumptions not be as aggressive as projected. It is tied with impact fees. Councilor Hill stated capital improvements be identified and there is a limited time to provide this information. Ms. Mahalick clarified and stated this is only the first step to adopt the land use assumption, no fees at this point. The I.C.I.P. is reviewed and changed. The consultants can also review the numbers and project at a lesser rate. Councilor Ring stated maybe a work session could be scheduled with the Council. Councilor Felton asked what additional costs are involved to re-work the numbers. Ms. Mahalick stated \$1500 if the consultants come to Edgewood plus air fare. It would take them 2 ½ to 3 weeks to review.

Ms. Clark McDuell was sworn in. She asked where on the Town's web page is the comprehensive plan.

MOTION: Councilor Hill made a motion to table this item and schedule a work session for further review. Councilor Simmons seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Ring voted aye. The motion carried.

Quasi Judicial Procedure: Certification that Public Notice of this Meeting has been posted as required:

Noted: Ms. Mahalick stated this was noticed as required.

These cases are being heard under provisions required by the New Mexico Court of Appeals intended to protect the rights of all parties and their witnesses and the swearing in of all parties giving testimony. The affected parties will have the right to cross-examine persons giving testimony.

Confirmation of no conflict of interest or ex-parte contacts:

Councilor Simmons stated she had no conflict of interest or ex-parte contacts.

Councilor Felton stated he had no conflict of interest or ex-parte contacts.

Councilor Hill stated he had no conflict of interest or ex-parte contacts.

Councilor Ring stated he had no conflict of interest or ex-parte contacts.

D. Annexation and Zoning for 48 Acres Southwest of the Municipal Boundary Area, Section 33, T10N, R7E, requesting R-2.

Ms. Mahalick stated the applicant has not gone before the Planning & Zoning Commission as the meeting was cancelled. There will not be a recommendation on the zoning. She has not received any negative comments, this location will be infill, no roads with be maintained by the Town.

MOTION: Councilor Ring made a motion to approve the annexation. Councilor Simmons seconded the motion.

Mr. John Marshall expressed his concern on the annexation as his property is contiguous to the proposed annexation. He operates an agricultural enterprise and is concerned this would affect it. He is not in the Town limits so there would be no change to his business.

Mr. Jim Garroway asked on the benefits to the owner being annexed to the Town, as the roads are private. He is requesting an R-2 and this was explained to him.

VOTE: Councilor Ring voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. The motion carried.

E. Annexation and Zoning for 10 Acres on the South Side of Frost Road, Section 33, T11N,R7E, requesting Special Use.

Ms. Mahalick stated there has been discussion with Santa Fe County to swap roads for maintenance. At this time she recommends this item be tabled.

MOTION: Councilor Ring made a motion to table this item. Councilor Simmons seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Ring voted aye. The motion carried.

F. Request to Amend the Town Zone Map.

MOTION: Councilor Hill made a motion to approve the Zone Map amendment with the approved annexations. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Ring voted aye. The motion carried.

7. MATTERS FROM THE MUNICIPAL JUDGE.

G. Judge White will present his report for the month of December, 2007.

Judge White presented his report. He addressed the low revenue for this time of year. There is an issue with the State Police on jurisdiction due to boundaries and citing. At the present time he is working with Mr. Rael, Town Attorney on a procedure to collect money owed to the Town and will return to the Council with the information. He thanked Mr. Rael for working with him on this.

8. STATE POLICE REPORT.

None.

9. MATTERS FROM THE MAYOR.

H. Recommendation of Mr. Michael Dodge as a Planning & Zoning Commissioner.

Mayor Calkins stated the Town's newly hired Police Chief is present and now he will

work on his budget, begin the hiring process. His e-mail is edgewoodchief@yahoo.com

Mayor Calkins stated Mr. Steve Vogel's position expires now in January. He introduced Mr. Dodge and recommends him for a two year term, January 2008 through January 2010.

MOTION: Councilor Hill made a motion to approve Mr. Dodge as a Planning & Zoning Commission. Councilor Felton seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. The motion carried.

10. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

I. Councilor Ring – Discuss changes to the Ethics Ordinance No. 2005-07
Councilor Ring stated there are language changes he would propose. Page 2, 3(a), change the word from “councilor” to “official”. On page 3,3b change the same word. Page 3, (6) he proposed language change which Mr. Rael will need to review as a candidate can’t file disclosure, but an official can. He referred to F. (1) and fee returned after findings of fact. Mr. Rael will work on re-drafting this Ordinance.

J. Councilor Felton – Applying Edgewood Personnel Procedures.
Councilor Felton discussed the manner in which the Public Works Director position was created and referred to the Town’s Personnel Ordinance on the procedure. He referred to page 3-B on the process of filling a vacancy. He inquired on performance evaluations and if these are completed as this step is critical and gives the employee direction. These steps need to be followed. Mr. Condrey apologized on not following the process, although pay increases were not held up, he feels with the adoption of the new pay plan, the salary is noted with the job descriptions. Councilor Felton stated the lapse in procedure be corrected and move forward to include the performance evaluation.

Councilor Simmons brought up the speed limit on 344 and would like to see this changed from 35MPH to 40MPH. Mayor Calkins stated the Department of Transportation has already addressed this and this speed limit will not change.

Councilor Ring announced a meeting with New Mexico Retiree Health Care Authority at 11:00 A.M. in Albuquerque on Thursday that affects the insurance for State and City employees.

11. MATTERS FROM THE ATTORNEY.

Mr. Rael stated he had received a response from Santa Fe County Manager on the transfer station. They do not have the man-power to allow the Town of Edgewood to use the facility. Councilor Ring stated it would be beneficial to work with them and establish some type of agreement.

Mr. Rael stated he will meet with Ms. Kilgore, Rory Road representative on January 16, 2008.

At this time Public Comments were heard.

Ms. Sue West discussed her feelings on the funding for the soccer fields and understands the sewer is the first priority. She stated there could be more than one priority and miss the opportunity to have the soccer fields. These fields have been kept in order since the

Town incorporated and there is the need. She does not see how the sewer will do good for families.

Ms. Vicki Schoeber stated she will run for Municipal Judge and will be a write-in candidate on January 22, 2008. She has 18 years experience and feels she can more.

Mr. David Bliss commented on the Field their Dreams Recreation facility and sees how this is getting close to getting funds. He would like to see more Open Space.

12. MATTERS FROM THE ADMINISTRATOR.

FINANCE & ADMINISTRATION.

K. Review of the 2006-07 Town Audit – Mr. Thad Porch.

Mr. Porch stated an exit interview was conducted with the Staff and audit findings were reviewed and addressed. He then reviewed these audit findings with Mayor Calkins and the Council and the responses as submitted to the State Auditor.

MOTION: Councilor Simmons made a motion to accept the 2006-07 Town Audit as presented. Councilor Felton seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. The motion carried.

L. Request for the Town of Edgewood to assume Maintenance & Operation of a proposed Lift Station from Liberty Square.

Mr. Condrey stated he recommends this request and referred to the hand-out.

MOTION: Councilor Simmons made a motion to accept the maintenance and operation of the proposed lift station. Councilor Felton seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. The motion carried.

M. Authorize \$50,000 for Land Acquisition for Regional Animal Care Facility.

Mr. Condrey stated there is a 5 year lease on Section 16. The committee recommends acquiring 10 acres of the 20 acres and purchase price is \$150,000. At this time Bernalillo County has earmarked \$70,000, Santa Fe County has committed \$60,000 and the Town of Edgewood would commit \$50,000 which would incur the expenses associated with the design.

MOTION: Councilor Ring made a motion to approve \$50,000 for land acquisition. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Ring voted aye. The motion carried.

COMMUNITY PLANNING & DEVELOPMENT.

None.

ANIMAL CONTROL.

N. Review of the “Draft” Animal Care & Control Ordinance.
This item is scheduled for a Public Hearing on January 23, 2008. Mr. Marcus Rael, Town Attorney is reviewing the draft for any changes needed.

13. RESOLUTIONS.

O. Resolution No. 2008-01 – Endorsing the Moriarty/Edgewood School District Bond Issue.

MOTION: Councilor Simmons made a motion to approve Resolution No. 2008-01. Councilor Hill seconded the motion. Councilor Hill disclosed he has a child in this school district and is on an Advisory Board.

VOTE: Councilor Ring voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. The motion carried.

P. Resolution No. 2008-02 – Clarify the Town’s Position regarding Field Their Dreams Project and the approved I.C.I.P.

MOTION: Councilor Simmons made a motion to table Resolution No. 2008-02. Upon discussion on the language and changes, Councilor Simmons withdrew her motion.

MOTION: Councilor Felton made a motion to accept Resolution No. 2008-02 with the following changes, the “5th Whereas” as written be deleted, number 3 to be changed to a “Whereas” and number 4 be changed to a “Whereas”. Councilor Ring seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. The motion carried.

14. ANNOUNCEMENTS, CALENDAR REVIEW & FUTURE AGENDA ITEMS.

Q. Special Council Meeting – January 14, 2008 at 6:00 P.M.

R. Regular Council Meeting – January 23, 2008 at 6:30 P.M.

S. Declared Candidates for March 2008 Municipal Election.

Mr. Condrey stated for Mayor there are three candidates, Howard Calkins, Chuck Ring, & Robert Stearley. For Councilor there are two candidates, John Abrams & Brad Hill. For Municipal Judge there are two candidates, William White & Tim Moreland, although today Tim Moreland came into the office and filed a Withdrawal of Candidacy Form.

Note: The Town Offices will be closed Monday, January 21, 2008 in observance of Martin Luther King Day.

15. PUBLIC COMMENTS. (Limit to 2 minutes per person)

16. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the Meeting. Councilor Felton seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. The motion carried.

Mayor Calkins adjourned the Meeting at 8:40 P.M.

Mayor's Quote for this Meeting:

Three things in human life are important: The 1st is to be kind. The 2nd is to be kind. The 3rd is to be kind. Henry James (1843-1916) Writer

APPROVED AND ADOPTED THIS 23rd day of JANUARY, 2008.